

Last Edition.

FIFTY-THIRD YEAR

Will Not Consult Venezuela.

The Matter of Arbitration—Will Deal Solely With United States—Castro's Appointment of Minister Bowen to Settlement—Great Britain is Favorable, that is if Proper Safeguards Are Provided, Which Means Guarantee of Fulfillment of Any Award

London, Dec. 19.—Great Britain has replied to the United States in a reply to the suggestion that the Venezuela question should be submitted to arbitration. The tenor of the reply, it is expected here, will tend to bring about an arrangement for a satisfactory settlement, while thoroughly safeguarding the interests of the powers.

RAILROAD RATES.

Commerce Commission Is Investigating Them.

New York, Dec. 19.—The Interstate Commerce commission met today to investigate the railroad rates on imports and exports. The commission is investigating the rates on imports and exports, and the rates on the coastwise trade.

Small Hope for Vanderbilt.

New York, Dec. 19.—Cornelius Vanderbilt passed a fairly good night and at 7 o'clock hope had not been abandoned. The presence of two doctors in the house throughout the night indicated that Mr. Vanderbilt's condition continued very grave. The following bulletin was issued at 9 o'clock:

Peruvians Would Aid Venezuela.

Lima, Peru, Dec. 19.—A number of army officers here propose calling their names to the president of Venezuela, to offer their services in case of the situation becoming more complicated.

Toby Irwin Beats Jack Clifford.

Oakland, Cal., Dec. 19.—After 15 rattling rounds before the A.C. club last night, Toby Irwin of San Francisco was awarded the decision over Jack Clifford of Butte, Mont., by referee Phil Wand.

Can't Fight in Michigan.

Lansing, Mich., Dec. 19.—Gov. Bliss will not permit the McGovern-Corbett fight which was to be held in Detroit next month. He wrote this afternoon to Sheriff Dickson of Wayne county, telling him that he cannot permit the fight.

AMERICAN SHIPPING.

Attention What Will Be Done by United States if Interfered With.

London, Dec. 19.—In a reply made today to a question in parliament, Mr. Balfour says no intimation has been received from the government of the United States that it will object to the shipping of goods to Venezuela.

DETROIT, Dec. 19.—Matchmaker William Considine of the Metropolitan A.C. insists that the prize fight between McGovern and Corbett is not to be a prize fight, but a sporting contest within the law.

DETROIT, Dec. 19.—The foreign office here desires to have it understood that the note sent to the French chargé d'affaires at Caracas does not ask Venezuela to give preferential treatment to French claims.

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SECRET EVENING NEWS.

FRIDAY, DECEMBER 19, 1902. SALT LAKE CITY, UTAH.

THEY WILL ACCEPT ARBITRATION

The Powers Have Made Partial Responses to Secretary Hay's Note Regarding the Proposition to Submit Their Difficulties With Venezuela to Arbitration—Great Britain is Favorable, that is if Proper Safeguards Are Provided, Which Means Guarantee of Fulfillment of Any Award

Against Venezuela—Germany Accepts Arbitration in Principle but Attaches So Many Provisos as to Nullify It—Italy Will Do as Her Allies Do.

Washington, Dec. 19.—Secretary Hay has received partial responses from the governments of Great Britain, Germany and Italy respecting the proposal to arbitrate the Venezuelan difficulties.

Great Britain is favorable to arbitration with proper safeguards; Germany accepts arbitration in principle, but finds a multitude of small adjustments to be made before entering into the agreement; Italy, as the junior partner of the allies, declares that she is favorable to arbitration, but will be bound probably by the action of the senior parties.

To secure these results the American embassies at London, Berlin and Rome have been working energetically to carry out the instructions of Secretary Hay. As far as England is concerned, the safeguards referred to are believed to relate to the question of guarantee, which is full of difficulty.

In this connection, as indicated in these dispatches yesterday, some consideration is again being given to the feasibility of the assumption of responsibility for any award assessed against Venezuela by responsible private agencies, but the United States government is determined not to allow itself to be drawn into the position of a guarantor in this case for the precedent once established might require the United States to become the financial backer of all South and Central America.

However, if private concerns can be induced to enter the field the United States government will do what it can to reduce their risks. Secretary Hay, Sir Michael Herbert, the British ambassador and Senator Dewey were in conference today and it is expected that this phase of the case was touched upon, although no confirmation can be had at this time.

The German position presents the greatest difficulties for not only does it involve a demand for apologies which are extremely repugnant to Venezuela, but also presents so many points requiring adjustment that it is evident that many days or perhaps weeks must elapse before the adjustment can be effected and the case prepared for arbitration. And the danger of the delay in the face of a blockade which seriously cripples neutral commerce and invites hostile collisions with the Venezuelans cannot be overestimated.

The efforts of the United States, therefore, must be directed toward hastening Germany's action on the arbitration proposal. The Italian position is of course, of less concern than that of the other allies. The Italian ambassador here has been extremely moderate and considerate, giving Secretary Hay the impression that he is well disposed to second any effort of the United States to terminate the present dangerous situation.

The French government has served notice that without abating her claims the payment for which has been arranged, she also claims the right to have the claims of French citizens, which have arisen since the adjustment above mentioned, considered by the joint tribunal, which will adjust the Venezuelan debts on a basis of equality with those of the other nations.

This contention is strongly resisted by some of the allied powers and is one of the points which is likely to lead to the consummation of much time and which must be disposed of before a final arrangement can be made to arbitrate the case.

It is believed that he has been their accomplice in other robberies and it was only through the Smith woman's revealing down that the authorities came into possession of the horrible facts.

Fleming has the appearance of being about 50 years of age although he declares that he is 45. He is slightly below medium height, but is strong and of athletic build. He has light gray eyes that are continually shifting when he is talking to anyone, and his hair is sprinkled with gray.

An effort was made to get him to talk about the case and this he appeared very anxious to do, but it was almost an impossibility to get him to confine himself to it. After saying a few words about the Smith woman he would ramble off on to some other subject.

WILL DO ANYTHING.

"When I am drunk I will do anything," he said. "But it is a fact that since I got out of jail on the first of the month, I have not been drinking at all. I served time here the last time for stealing a pair of pants. I admit that I served a year in the pen for grand larceny. I was sent up three years ago for stealing a load of wool, but I didn't steal it. I simply sold it for another man. If this woman says I was mixed up in this affair she lies. On Friday afternoon I came up from my room to see a man about selling a mining claim."

What time did you conclude your business in the afternoon?" he was asked.

"I got through about 3 o'clock and about 7:30 I went back to the place where I am rooming and played cards until about 11 o'clock with three friends of mine. I was in the Smith woman's place that afternoon."

Beyond saying this, Fleming would not say where he was between the hours mentioned, which is the time the crime was committed.

FLEMING'S RECORD.

The man has a long and bad record. The police say that he has been in terms in the city jail during the last nine years. Scores of times he has been arrested for petty larceny and kindred offenses, and several times he has been arrested on graver charges but managed to escape prosecution. The police say they have reason to believe that Fleming was mixed up in the burglary of the Paris Military which occurred some months ago. A lot of furs, valued at about \$600, were stolen from the place and it is claimed that Fleming was one of the thieves.

While the Smith woman says she is positive that Fleming is the man, that he was implicated in the murder and robbery and that he got most of the money and gave her \$5, the Ray woman is trying to shield the man. She will not admit that he was in the place on Friday and when questioned about him she maintained that she did not see him.

But the police are certain that she will eventually make a clean breast of the whole affair. Chief Paul said today:

CHIEF PAUL'S STATEMENT.

"To my mind the affair is now as plain as mud in a wine glass. I am as positive that this man Fleming carried the body to the outhouse that I stand here, and as the matter now stands the crime is fastened upon the three, Mary Jane Smith, Madge Ray and Fleming, so there is no chance for them to escape. This Smith woman positively identifies Fleming and declares that he was there. There are one or two minor details of the case that have to be gathered in and then everything will be made plain."

A BAD MAN.

It is known to the police that this man has been in the city jail during the last nine years. Scores of times he has been arrested for petty larceny and kindred offenses, and several times he has been arrested on graver charges but managed to escape prosecution.

COMPANY'S WAGE STATEMENT.

Commission May Not Have Great Faith in Same.

Scranton, Pa., Dec. 19.—Chairman Gray, when the strike commission opened its session today, recalled the incident of Wednesday, when the accuracy of the wage statements of women employed by the non-union men was questioned.

APOSTLE YOUNG'S HEALTH.

On His Sixty-sixth Birthday His Condition is Somewhat Improved.

Yesterday, Dec. 18, was the sixty-sixth anniversary of the birth of Apostle Brigham Young. In this connection it will be pleasing news to learn that his health, which has been precarious for some time past, is now somewhat improved.

UTAH DELEGATION.

Senator Rawlins and Rep. Sutherland Coming Home for Holidays.

(Special to the "News.")

Washington, D. C., Dec. 19.—Senator Rawlins and his secretary, Walter Hurd, and Congressman Sutherland, and finally left for home this morning to spend the holidays.

ROOMS BURGLARIZED.

Thieves Steal Clothing From the Board of Trade Building.

A young man giving the name of O. McKnight called at the police station and reported that the rooms occupied by himself and his mother in the Board of Trade building, were burglarized last night and a quantity of clothing stolen. How the thieves secured entrance is not known, but it was presumably by means of a skeleton key.

IS VERY LOW.

Hon. Geo. W. Thatcher of Logan Reported Near to Death.

Word has come from Logan that the condition of Hon. George W. Thatcher, who has been ill for some time past, is growing to be more discouraging day by day. So serious has his illness become that yesterday that Hon. Moses Thatcher was sent for and is now at the bedside of his stricken brother. Enquiry at the residence of Mr. Moses Thatcher in this city this afternoon brought the information that no change had been reported for today.

Man Arrested In Ryan Case.

Frank H. Fleming Charged With Being an Accomplice in The Murder and Robbery of Daniel Ryan—Smith Woman Says He Carried the Body Out—Man's Attempt to Prove an Alibi Rather Shaky.

That Mary Jane Smith and Madge Ray, the depraved colored women, had a male accomplice in the murder and robbery of Daniel Ryan is now a known fact. This third person had more to do with the planning and execution of the murder and robbery than was at first supposed. He it was who took the unconscious form of Ryan from the vile crib and placed it in the cramped position in the outhouse. He it was who disposed of Ryan's watch and took the greater part of the money and gave Mary Jane Smith a share.

Since Wednesday night the police have known that there was a male accomplice, not a negro, but a white man, who has been a jailbird for more than nine years, who has been mixed up in many petty and grave crimes; a man who has served a term in the Utah state prison for grand larceny. The fellow was arrested yesterday afternoon 30 minutes before 1 o'clock and lodged in the city jail. The arrest was made by Detective Chase. The man's name is Frank H. Fleming.

These facts were in possession of a "News" reporter yesterday, but were withheld from publication owing to the fact that Fleming was not apprehended until after press time. The greater part of Wednesday afternoon, all of Wednesday night and yesterday was devoted by the officers to scouring the city for this man. The authorities now declare that the case is pretty well cleared up and that there is sufficient evidence to warrant the three being held on the charge of murder in the first degree. It is true that the robbery was planned with no idea of murder, but in giving Ryan the morphine the Smith woman placed enough of the poison in his beer to kill a much stronger man than he was.

SMITH WOMAN'S ADMSSION.

The two women were "sweated" for before they could be induced to admit that there was a third person in the crime. They both tenaciously held to their first statement that they alone were concerned in the affair. But finally one of the women, and the one around whom the web is being the more closely drawn, weakened and admitted that Fleming was an accomplice. She further admitted that he was a party to the plan and was the one who actually did the robbing and disposed of Ryan's inanimate form in the manner described. Fleming denies the charge strongly and swears that the Smith woman is lying. He admits, however, that he knows the woman and here he has been in the crib at least twice. He tries to account for his time during the fatal Friday afternoon, but cannot account for his whereabouts between 3 o'clock in the afternoon and 7:30 in the evening, the time of the murder.

FLEMING NERVOUS.

As soon as Fleming was arrested he was confronted by the Smith woman. He was very nervous and trembled from head to foot. The Smith woman, at once identified Fleming and declared that he was a party to the crime and that he was in her den on Friday last. She declared that after the body had been taken to the outhouse, Fleming returned to her den of infamy and handing her \$5, said: "Here, Mary, this is your share, but you had better get out of town as soon as possible."

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CALL UP \$59 when you want the News ad. man to call on you and help you make your advertising more effective. He can do it.

NUMBER 25

THE CHRISTMAS NEWS.

Will be issued early next Saturday afternoon. Copies mailed that day will reach any part of the United States or Canada by Christmas day. It will be a high art publication, devoted to the progress of Utah and Idaho during 1902, and will contain besides a Christmas address from the First Presidency, a prize Christmas story, a prize Christmas poem, story of our mines, buildings, real estate, factories, farms, irrigation projects, etc., etc. Price, 15 cents per copy; domestic postage prepaid. Foreign postage 10 cents extra. A limited number bound in magazine form at 25c.

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